

THIS AMENDMENT:			
Passed _____	Passed as amended by _____		
Failed _____	Not Offered _____	Withdrawn _____	



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Commissioner Kunasek's Proposed Amendment No. 1

COMPANY: Electric Competition Rules

AGENDA ITEM NO. 2

DOCKET NO. RE-00000C-94-0165

OPEN MEETING DATE: April 14, 1999

P. 55, R14-2-1601.27

DELETE "Federal Energy Regulatory Commission-required ancillary services" and **REPLACE** with "~~Federal Energy Regulatory Commission required any ancillary services deemed to be non-competitive by the Federal Energy Regulatory Commission~~".

P. 57, R14-2-1601.35

DELETE "d. Other transition and restructuring costs as approved by the Commission."

P. 58, R14-2-1601.39

INSERT "Must Run Generation." after "as generation, transmission, distribution,".

P. 59, R14-2-1603.A.

DELETE existing language and **REPLACE** with:

"Any Electric Service Provider intending to supply Competitive Services shall obtain a Certificate of Convenience and Necessity from the Commission pursuant to this Article. An Affected Utility need not apply for a Certificate of Convenience and Necessity to provide Competitive and Noncompetitive Services. Any Electric Service Provider intending to supply services described in R14 2 1605 or R14 2 1606, other than services subject to federal jurisdiction, shall obtain a Certificate of Convenience and Necessity from the Commission pursuant to this Article. A Certificate is not required to offer information services, billing and collection services, or self aggregation. However, aggregators as defined in R14 2 1601 are required to obtain a Certificate of Convenience and Necessity and Self Aggregators are required to negotiate a Service Acquisition Agreement consistent with subsection G(6). An Affected Utility need not apply for a Certificate of Convenience and Necessity to continue to provide electric service in its service area during the transition period set forth in R14 2 1604. An Affected Utility providing distribution and Standard Offer service after January 1, 2001 need not

~~apply for a Certificate of Convenience and Necessity. All other Affected Utility affiliates created in compliance with R14-2-1616(A) shall be required to apply for appropriate Certificates of Convenience and Necessity."~~

P. 60, R14-2-1603.B.7.

DELETE this section, and **renumber to conform**.

P. 68, R14-2-1605.

DELETE the first two sentences of this rule and **REPLACE** with "Competitive Services shall require a Certificate of Convenience and Necessity as described in R14-2-1603. A properly certificated Electric Service Provider, Affected Utility or Utility distribution Company may offer Competitive Services under bilateral or multilateral contracts with retail customers. A properly certificated Electric Service Provider may offer any of the following services under bilateral or multilateral contracts with retail consumers:".

P. 68-69, R14-2-1606.B.

DELETE the first sentence of this section and **REPLACE** with "After January 1, 2001, power purchased by an investor owned Utility Distribution Company to provide Standard Offer Service shall be acquired through the open market. After January 1, 2001, power purchased by a Utility Distribution Company to service Standard Offer customers, except purchases made through spot markets, shall be acquired through competitive bid."

INSERT the following sentence at the conclusion of R14-2-1607.B:

"Notwithstanding the filing dates established in paragraphs C and D of this Rule, distribution related Stranded Cost may be applied for as and when such costs arise."

P. 74, R14-2-1607.G.

DELETE "tariffed" after "current".

REWRITE R14-2-1612.K.8 to read as follows:

8. "Metering equipment ownership will be limited to the Affected Utility, Utility Distribution Company and the Electric Service Provider or its representative."

Pp. 95-104, R14-2-1615 and 1616.

STRIKE THROUGH both of these rules and **REPLACE** with a new R14-2-1615:

“No later than 90 days after adoption of these Rules, each Affected Utility which plans to offer Competitive and Noncompetitive Services shall propose a code of conduct to prevent anti-competitive activities. The code of conduct shall be subject to Commission approval.”

Renumber to conform.